

The State of Hawaii strongly objects to the application/filing by Higher Ground ([E150095](#)). We depend upon the filing process to protect our links for public safety. If this type of application is granted, the FCC itself becomes irrelevant. Commercial entities can simply do whatever pleases themselves. Furthermore, interference issues will be hidden by each such entity quickly moving on before any FCC entity can address the issue.

This is in no way acceptable. Our frequencies and locations are licensed. No one is hopping on and off of frequencies or moving in and out of interfering patterns. If granted, what then is the purpose of frequency studies and why should we continue to worry about licensing our links?

The State of Hawaii will seek legal action against any entity interfering with our properly licensed links by offensive use of either frequency or power.

Points to note that were provided to us by our frequency coordinator are:

New HG spectrum management system is untested and unproven.

Replaces cooperative coordination with a unilateral approach.

- No review by licensees or third party agents
- Possibility of conflict of interest for licensee in HG's position
- No way for victim to predict and head off interference

Difficult to detect and discontinue interference should it occur

- Hard to identify sporadic interference and tie it to mobile devices
- Access to records of HG customer transmissions would require complaint to FCC
- Uncertain recourse if interference is confirmed

Proposal deviates significantly from existing rules and practices.

- Would set precedents for mobile consumer usage and one-way coordination
- Raises concern the Commission would be effectively making rules by waiver
- Rulemaking proceeding with thorough review by stakeholders more suitable for such consequential changes

Thank you,

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